



174487
PATENT
25864.00600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Edward, SHANBROM

Serial No: 09/315,688

Filed: May 20, 1999

For: METHOD FOR QUALIFYING
ANTIOXIDANT LEVELS

Art Unit: 1744

Examiner: K. Olsen

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Signature

03/14/02
Date

**TRANSMITTAL OF INFORMATION DISCLOSURE
STATEMENT**

Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).
- ☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00) to Deposit Account No. 50-1796, referencing docket number 25864.00600. A copy of this petition is enclosed.
3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in § 1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in § 1.97(e) and a fee set forth in § 1.17(p) are included. 37 C.F.R. § 1.97(d).

§ 1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(d). (\$180.00).
- ☐ Please charge the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00) to Deposit Account No. 50-1796, referencing docket number . A copy of this petition is enclosed.
4. The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) [37 C.F.R. § 1.97(h)]. Further, applicants make no admission that all references presented here are prior art in relation to the present application.
5. If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1796. **A copy of this petition is enclosed.**
6. A list of 7 reference(s) is in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

- ☒ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,

CROSBY, HEAFEY, ROACH & MAY

Date: March 14, 2002

By: Stefan J. Kirchan
Stefan J. Kirchan
Registration No. 36,568
Attorney for Applicant(s)

1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067
Phone: (310) 734-5200
Fax: (310) 734-5299